

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA, et al.,  
*ex rel* MARC ANDREOZZI,

Plaintiffs,

v.

ELI LILLY & COMPANY,

Defendant.

No. C 09-01921 JSW

**ORDER REQUESTING  
ADDITIONAL DECLARATION  
RE MOTION TO WITHDRAW AS  
COUNSEL FOR RELATOR**

The Court has read and considered Packard, Packard & Johnson's Motion to Withdraw as Counsel for Relator Marc Andreozzi. The time for filing an opposition to the motion has passed, and none of the parties has opposed the motion.

Counsel attests that "[a]s an affirmation of previous notices, on October 6, 2011, I sent a written notice to Relator Andreozzi that PPJ was withdrawing subject to filing a motion with the Court. Relator Andreozzi indicated his concurrence to me with this request in the authorization and fee agreement and in communications with PPJ." (Declaration of Lon D. Packard, ¶ 8.) It is not clear to the Court whether Mr. Andreozzi has affirmatively consented to Packard, Packard & Johnson's motion to withdraw, or whether Packard, Packard and Johnson are inferring his consent from silence.

Accordingly, Packard, Packard & Johnson, are HEREBY ORDERED to submit a further declaration clarifying whether they have any written communications from Mr. Andreozzi consenting to their withdrawal from this case.

1 This declaration shall be filed by no later than December 2, 2011. Pending further order  
2 of the Court, the motion to withdraw remains on calendar on December 9, 2011. It is  
3 FURTHER ORDERED that Packard, Packard & Johnson shall serve a copy of this Order on  
4 Mr. Andreozzi and shall file proof of such service with the Court.

5 **IT IS SO ORDERED.**

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7 Dated: November 28, 2011

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9 JEFFREY S. WHITE  
10 UNITED STATES DISTRICT JUDGE  
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